

E-2532

In re Application of
PETER V. RADATTI
U.S. Patent Application No. 09/838,979
Filed: April 19, 2001
For: SOFTWARE VIRUS DETECTION METHODS AND APPARATUS

Examiner: Yogesh Paliwal
Group Art Unit: 2435

Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

CERTIFICATE OF FIRST-CLASS MAILING

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited today with the United States postal service as first class postage-prepaid mail in an envelope addressed to: Mail Stop ISSUE FEE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

January 21, 2009

Date

John F. A. Earley III

John F. A. Earley III
Reg. No. 31,350

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

The Commissioner is hereby authorized to charge any additional fees which may be required by this paper and during the pendency of this application to Account No. 05-0208.

January 21, 2009

Date

John F. A. Earley III

John F. A. Earley III
Reg. No. 31,350

RESPONSE

This is in response to the Notice of Allowance dated October 21, 2008.

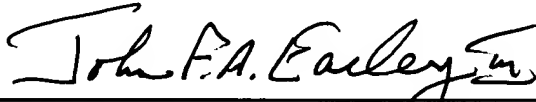
The Notice of Allowance, and the "Part B - Fee(s) Transmittal" indicate that Applicant is not a large entity and that large entity fees are due for the issue fee. However, throughout the prosecution of this application, Applicant has been and continues to be a small entity.

Accordingly, it appears that the Patent Office has mistakenly indicated on the Notice of

Allowance and the "Part B - Fee(s) Transmittal" that the Applicant is not a small entity. It is respectfully requested that the Patent Office correct this mistake in the USPTO records such that the USPTO records continue to show that Applicant is a small entity.

Applicant submits herewith the "Part B - Fee(s) Transmittal" on which the small entity indication has been corrected (to indicate "yes") and the fees due have been corrected (to reflect small entity fees). Applicant also submits herewith a check in the amount of \$1,055.00 to cover the issue fee and the publication fee, as well as a post card receipt.

Respectfully submitted,
HARDING, EARLEY, FOLLMER & FRAILEY
Attorneys for Applicant



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Date: January 21, 2009